

# **Minneapolis City Planning Department Report**

## **Site Plan Review**

BZZ – 421

**Date:** July 7, 2003

**Date Application Deemed Complete:** June 9, 2003

**End of 60 Day Decision Period:** August 8, 2003

**Applicant:** Rice Associates, Inc.

**Address of Property:** 2106-2218 E. Lake St.

**Contact Person and Phone:** Angela Quale, 952-937-8977

**Planning Staff and Phone:** Jason Wittenberg, 673-2297

**Ward:** 9      **Neighborhood Organization:** East Phillips

**Existing Zoning:** C2 with the PO (Pedestrian Oriented) Overlay District

**Proposed Use:** Improvements to existing shopping center and freestanding restaurants

**Zoning Code Section Authorizing Proposed Use:** Table 548-1

**Project Name:** Hi-Lake Center

**Previous Actions:** N/A

**Concurrent Review:** N/A

**Background:** A site plan review application has been filed to bring the existing shopping center, including freestanding restaurants, into compliance with Chapter 530 of the zoning code. The applicant's plans include constructing a new façade for the center. No additions are planned at this time that would add gross floor area to the existing buildings on the site.

Adjacent uses include the following:

- To the south, across Lake Street: Edison/PPL School; YWCA
- To the west, across 21<sup>st</sup> Avenue South: Pioneers and Soldiers Memorial Cemetery
- To north, across East 29<sup>th</sup> Street: The Green Institute
- To the east: LRT station (service in 2004); State Highway 55 (Hiawatha Ave.); Minnehaha Center shopping center (across Hwy. 55)

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Please see the final pages of this report for an overview of plans that have been adopted for the site in question and the broader Lake Street and Hiawatha area.

**Required Findings for Major Site Plan Review**

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

**Section A: Conformance with Chapter 530 of Zoning Code**

**BUILDING PLACEMENT AND FAÇADE:**

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.
- Entrances and windows:
  - Residential uses shall be subject to section 530.110 (b) (1).
  - Nonresidential uses shall be subject to section 530.110 (b) (2).
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

*Conformance with above requirements:*

The buildings do not reinforce the street wall. This is an existing condition.

The existing buildings are located more than eight feet from the front lot line.

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The applicant's proposed site plan includes landscaping and an existing decorative wall/fence between the building and the front lot line. As requested by staff and consistent with what the commission required during the site plan review for a nearby shopping center (Minnehaha Center), benches, refuse containers, and bicycle racks will be added to the walkway in front of the retail uses.

The principal entrances face the public streets.

The parking lot is located in front of the shopping center. This is an existing condition.

The applicant proposes façade improvements that would add architectural detail, including a good deal of stucco-embossed panels and metal accent bands.

Painted, plain-face concrete block is as a primary exterior building material on the rear of the building. This is an existing condition.

To allow for appropriate natural surveillance, the percentage of the front façade of the center covered by windows should not be reduced from the existing condition during the façade renovation.

#### **ACCESS AND CIRCULATION:**

- Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.
- Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.
- Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.
- Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).
- Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.
- Site plans shall minimize the use of impervious surfaces.

#### *Conformance with above requirements:*

A continuous walkway would continue to extent in front of all retail entrances and would connect to the public sidewalk along 21<sup>st</sup> Avenue. The applicant proposes an enhanced connection to Lake Street by narrowing the easternmost curb cut. The current walkway connecting to Lake Street is quite narrow due to the excessive width of the existing curb cut. The applicant should reduce the extent of the proposed landscaped area at the south end of the center in order to ensure a generous walkway of approximately the same width as the walkway in front of the customer entrances. Staff has requested a copy of the engineering drawings for the interface between the adjacent LRT station and the public sidewalk. Based on these plans, the applicant should work with the Planning Department and the Public Works Department to optimize the pedestrian connection between the center and the station. The public alley may act as a barrier to ideal pedestrian access to the site. Under the current proposal, the Public Works Department has indicated that the alley access to and from the site must be closed to vehicles. The applicant has proposed to install decorative fencing at the east end of the parking lot.

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There is an existing Metro Transit bus shelter located at the southwest corner of the site. The applicant should consider enhancements to this shelter (e.g., an enhanced waiting area around the shelter).

The existing site has four curb cuts—two along 21<sup>st</sup> Avenue and two along Lake Street. The applicant proposes to reduce the width of the easternmost curb cut. Access to the public alley from the southeast corner of the site would be eliminated.

There are no residential uses adjacent to the site.

Adequate area exists on the site to accommodate snow storage.

Impervious surfaces should be reduced by providing additional landscaping both at the perimeter of the site as well as landscaped islands at the interior of the parking lot. Further, as required by city ordinance and to allow for infiltration of stormwater, asphalt shall be removed from the public right of way along 29<sup>th</sup> Street and replaced by turf or landscaping except as allowed by the Public Works Department.

#### **LANDSCAPING AND SCREENING:**

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
  - Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).
- Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:
  - A decorative fence.
  - A masonry wall.
  - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).
- Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).
- The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.
- Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.
- All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.
- All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.

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- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.**

*Conformance with above requirements:*

According to information provided by the, the lot in question has 295,200 square feet of area and the building footprint is approximately 122,745 square feet. The net site area is therefore 172,455 square feet. At least 20 percent of the net site area (34,491 sq. ft.) should be landscaped. The applicant proposes roughly 3,200 square feet of landscaping, or approximately two percent of the net site area. Portions of landscaping that show a continuous Alpine Currant hedge at the southwest corner of the site appear to exaggerate the amount of landscaping currently located in this area. The city's landscape consultant has recommended that proposed landscape islands incorporate trees rather than shrubs. Trees would offer a greater benefit (increased shade and visibility) while requiring less maintenance than shrubs. The applicant's current plan proposes approximately 167 shrubs and 16 trees. This figures should be increased substantially in order to comply with the intent of the ordinance. Provided the perimeter of the parking lot complies with the landscaping and screening standards by providing a more or less continuous hedge and/or a decorative wall, and further provided that the number of landscaped islands (with trees) is increased at the interior of the parking lot, staff recommends that the commission accept landscaping on less than 20 percent of the net site area but not less than five percent of the net site area. Along the west lot line, landscaping must be enhanced substantially along the parking lot (between the two curb cuts along 21<sup>st</sup> Avenue) and between the shopping center and the public sidewalk along 21<sup>st</sup> Avenue. The final landscaping plan must contain a more detailed plant schedule, planting details, and maintenance plan. These details are not currently provided.

Landscaped yards are required on the south and west sides of the parking lot. With a parking lot over 200 spaces, the required landscaped yard must be eight feet in width. Staff believes that, if the perimeter landscaping is enhance and, the landscaping and the decorative wall along Lake Street will meet the intent of the landscaped yard. The existing hedge at the along Lake Street at the southwest corner of the site is taller than three feet and prevents surveillance of the site and does not allow vehicles exiting the site to see pedestrians on the public sidewalk.

As with landscaping, screening is required around the parking lot—three feet in height along public street.

Parking lots over 200 spaces must provide an additional 150 square feet of landscaping for every 25 parking spaces. Provided the applicant provides landscaping on the site equal to not less than five percent of the net site area, including tree islands in the parking lot, staff believes that the site would comply with the intent of the ordinance.

Concrete curbing must surround the perimeter of the parking lot and must be shown on the final site plan.

All areas not covered by buildings, walkways, driveways and parking and loading must be covered with landscaping or turf.

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Landscaping must be properly installed and maintained.

**ADDITIONAL STANDARDS:**

- Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.
- Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.
- Site plans shall minimize the blocking of views of important elements of the city.
- Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- Buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260.
- Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

*Conformance with above requirements:*

Freestanding light fixtures form a line through the interior of the parking lot. Final elevations should include any lighting that would be installed on the façade of the building. Lighting must comply with chapters 535 and 541.

There are no adjacent residential uses onto which headlights would shine.

Views would not be blocked.

The proposed site plan will have no impact on shadowing of the public sidewalk and will have no impact on wind speed or direction in the vicinity.

From a crime prevention standpoint, the applicant should ensure that all areas of the site have adequate lighting and the perimeter of the site reinforces the parking area as private space.

**Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan**

**ZONING CODE:** The site is zoned C2. Shopping centers are a conditional use in the C2 District as indicated in Table 548-1 of the zoning code. The site is also covered by a PO (Pedestrian Oriented) Overlay District. The placement of the buildings and any fast food restaurant uses are nonconforming in the PO Overlay District.

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**Parking and Loading:** According to the zoning staff's calculations, 329 parking spaces are required prior to consideration of any as-of-right reductions through shared parking, an on-site transit shelter, and bicycle parking. The applicant has indicated that 338 spaces are provided. Drive aisles are shown as more than adequate in width with the exception of the area east of the Subway restaurant. This area is currently not striped on the planner in a manner that is shown on the plan. The final site plan must show a two-way drive aisle of at least 22 feet. Parking lots having between 300 and 400 spaces must provide not less than eight accessible parking spaces. A number of the spaces on the site that are currently designated as accessible do not meet the Uniform Building Code standards requiring an access aisle adjacent to the accessible spaces.

**Signs:** The applicant must obtain permits for all signs that currently do not have permits. There are two freestanding signs along Lake Street. Existing pole signs are nonconforming in the PO Overlay District.

**Maximum Floor Area:** The existing building is in compliance with the maximum permitted floor area ratio of 1.7 allowed in the C2 District.

**Yard Requirements:** There are no required setbacks on the property.

**Specific Development Standards:** Shopping centers are subject to the following specific development standard, as indicated in section 536.20 of the zoning code:

*Shopping center.*

- (1) Only uses allowed in the zoning district in which the shopping center is located shall be allowed in the shopping center.
- (2) Uses which require a conditional use permit, site plan review or other land use approval shall comply with all review and approval requirements of this zoning ordinance.
- (3) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

Note that any use locating in the shopping center is subject to any Specific Development Standards that apply to the individual use.

**Hours of Operation:** Maximum hours open to the public in the C2 District are as follows: Sunday through Thursday, from 6:00 a.m. to 10:00 p.m. and Friday and Saturday, from 6:00 a.m. to 11:00 p.m.

**Dumpster screening:** Refuse storage takes place to the rear of the building. They are not shown on the current site plan but must be indicated on the final plan. Note that doors/gates on such enclosures cannot swing into the public right of way. Refuse storage enclosures must comply with the following requirement:

**535.80. Screening of refuse storage containers.** Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less

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than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. Single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units shall not be governed by this provision.

**MINNEAPOLIS PLAN:**

The existing shopping center is not consistent with adopted plans for the site and the area. The City has determined that the center is not the optimal long-term use for the site. However, until such time that the site is acquired for redevelopment, it is most practical that the analysis of consistency with the comprehensive plan and applicable development plans should largely focus on improvements to the existing site that would bring the site into conformance with the city's site plan review ordinance and aspects of applicable plans dealing with issues such as pedestrian access and landscaping and screening. Staff is recommending that the commission grant a two-year compliance deadline for site improvements due to the potential redevelopment of the site. A two-year compliance deadline would provide an opportunity for analysis of the likelihood that the site will be redeveloped within the near future.

The site is located on a Commercial Corridor, a Transit Station Area (TSA), and a Potential Growth Center. The City Council adopted changes to the Minneapolis Plan, including the addition of Transit Station Areas TSAs as land use features in the plan. TSAs generally refer to the areas within one-half mile of the LRT stations located outside of the downtown area, including the station at Hiawatha and Lake.

Policy 4.18 of the Minneapolis Plan states that "Minneapolis will encourage both a density and mix of land uses in TSAs that both support ridership for transit as well as benefit from its users." An Implementation Step under that policy states that the city will discourage automobile services and drive-through facilities from locating or expanding in these designated areas.

Relevant policies and implementation steps of the *Minneapolis Plan* include the following:

*Relevant policy:* **9.23** Minneapolis will continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas.

*Relevant Implementation Step:* Encourage comprehensive and site specific solutions that address issues of compatibility of commercial areas with surrounding uses.

*Staff comment:* Site improvements would aide with ensuring that the use is more compatible with surrounding property than the existing site conditions.

**Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council:**



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The City Council adopted the *Hiawatha/Lake Station Area Master Plan* on May 18, 2001, and *Development Objectives for the Hi-Lake Center* on December 28, 2001. The general vision for the site is summarized in the development objectives document (attached) as follows:

“Change at the Hi-Lake Center should reflect a pattern of mixed land use of housing and commercial uses. It should be a sustainable development (more specifically defined in the *Guidelines for Transit Oriented Development at the Hi-Lake Center*, July 2001) that meets neighborhood needs and capitalizes on the location of the LRT station adjoining the property. It should meet specific environmental standards for design of the site and buildings, construction methods and ongoing maintenance and facilities management approaches. The integration and accommodation of multiple transportation modes (e.g., bus service, commuter bicycle travel, transit service on the Midtown Greenway, and auto drop off space) next to this site will be another critical component of new development and services oriented to automobile-based shopping trips originating within a few miles of the site.”

In addition, the Corcoran Midtown Revival Plan was adopted by the City Council on October 11, 2002. The plan states that, “Along Lake Street between Cedar and Hiawatha the street should be an active street with retail uses at street level and generally two or three stories of housing above.” The Corcoran neighborhood is directly across Lake Street from the site in question.

See comments in the comprehensive plan section (above) related to the project’s consistency with adopted plans.

**Alternative Compliance. The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:**

- The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.
- Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.
- The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.

As indicated above, staff is recommending alternative compliance exceptions for the following aspects of the proposal:

- Staff recommends alternative compliance from the building placement requirements given that the building is existing.

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- Provided the perimeter of the parking lot complies with the landscaping and screening standards by providing a more or less continuous hedge and/or a decorative wall, and further provided that the number of landscaped islands (with trees) is increased at the interior of the parking lot, staff recommends that the commission accept landscaping on less than 20 percent of the net site area but not less than five percent of the net site area.
- Staff recommends that the commission allow the landscaped yards to be less than eight feet in width.

**Recommendation of the City Planning Department for the Site Plan Review Application:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for the existing shopping center and freestanding restaurants located at 2106-2218 East Lake Street subject to the following conditions:

- 1) Bicycle racks, waste receptacles, and benches shall be provided within fifty (50) feet of every customer entrance to the shopping center.
- 2) Not less than five (5) percent of the net site area shall be landscaped.
- 3) The perimeter of the parking lot shall be landscaped and screening to comply with section 530.160 of the zoning code. Shrubs fronting along the public sidewalk shall be trimmed to approximately three (3) feet in height to allow adequate visibility.
- 4) Accessible parking spaces shall meet the Uniform Building Code standards for the parking spaces and access aisles.
- 5) Refuse enclosures shall be screened as required by section 535.80 of the zoning code. The Planning Department shall review and approve elevations of the refuse enclosures and any new fences on the site.
- 6) Asphalt shall be removed from the public right of way along 29<sup>th</sup> Street and replaced by turf or landscaping except as allowed by the Public Works Department.
- 7) The applicant shall work with the Planning Department and the Public Works Department to optimize the pedestrian connection between the site and the adjacent LRT station.
- 8) The applicant shall submit a comparison of the existing percentage of the façade covered by windows and the proposed percentage of the façade to be covered by windows. The window area shall not be reduced from the existing condition or below forty (40) percent of the street facing façade, whichever is less.
- 9) The Planning Department shall review and approve the final site plan, landscaping plan, and building elevations. The final landscaping plan shall contain a detailed plant schedule, planting details, and maintenance plan.
- 10) If improvements required by Site Plan Review exceed two thousand (2000) dollars, the applicant shall submit a performance bond in the amount of 125 percent of the estimated site improvement costs by September 20, 2003, or the permit may be revoked for non-compliance.
- 11) Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by July 7, 2005, unless extended by the zoning administrator, or the permit may be revoked for non-compliance.